



Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
+1 212 698 3500 Main
+1 212 698 3599 Fax
www.dechert.com

June 2, 2022

ANDREW J. LEVANDER

andrew.levander@dechert.com
+1 212 698 3683 Direct
+1 212 698 3599 Fax

VIA ECF

The Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. Mark Nordlicht, et al.*, No. 1:16-cr-00640-BMC (E.D.N.Y.)

Dear Judge Cogan:

On behalf of Mark Nordlicht, we respectfully request an adjournment of Mr. Nordlicht's sentencing, which is currently set for June 7, 2022.

On May 27, 2022, the parties received Mr. Nordlicht's Presentence Investigation Report ("PSR") from the Probation Department. The Federal Rules of Criminal Procedure require, however, that Mr. Nordlicht receive the PSR at least 35 days before sentencing. *See Fed. R. Crim. P. 32(e)(2).* Mr. Nordlicht is currently preparing his objections, which the Probation Department will review and consider before submitting the final PSR to the Court. *See Fed. R. Crim. P. 32(f).* Therefore, we believe that it is necessary to adjourn the June 7 sentencing.

Because of prior commitments, vacation schedules, and Jewish religious observances, Mr. Nordlicht and his counsel are not available between July 18 and August 5. We would therefore respectfully request that Mr. Nordlicht's sentencing be adjourned to August 8, 2022, or the first available date thereafter.

Counsel for the government has proposed that Mr. Nordlicht's sentencing be set for the week of July 11. The Court, however, has set the sentencing of Mr. Levy, Mr. Nordlicht's co-defendant, for July 13, and we believe that his sentencing should precede that of Mr. Nordlicht, because the Probation Office had completed Mr. Levy's PSR first. In addition, Mr. Nordlicht's counsel has conflicts on July 12, 14, and 15 of that week.

Therefore, we respectfully request that Mr. Nordlicht's sentencing be adjourned to August 8, 2022, or to the first available date thereafter.



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cc: All Counsel (via ECF)

Respectfully,

/s/ Andrew J. Levander

Andrew J. Levander
Steven A. Engel
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
(212) 698-3683
andrew.levander@dechert.com

Counsel for Mark Nordlicht